

REMARKS

This amendment is in response to the Final Office Action dated November 10, 2003. Claims 1-48 are pending in the application.

5 In the Office Action, the Examiner objected to Claims 1, 3-9, 15, 32-38, 45, 47 and 48 due to various informalities. Further, claims 1-48 were rejected as being anticipated by U.S. Patent No. 6,005,759 ("Hart").

Each of the rejections from the Final Office Action of November 10, 2003 is discussed below in connection with the various claims. No new matter has been added.

10 Reconsideration of the application is respectfully requested in light of the amended claims and the following remarks.

I. OBJECTIONS

15 Claims 1, 3-9, 15, 32-38, 45, 47 and 48 were objected to due to informalities. The claim informalities have been corrected for clarity and not for reasons related to patentability, other than the exceptions noted below. No new matter has been added.

Regarding claims 3, 4, 7-9, 32-38, the acronyms used in the claim language are well known in the art, defined in the claim from which the claim at issue depends, and/or are further described in the Specification. Further, it should be noted that the words RTU and
20 ION® are known in the art in their acronym form as part of the formal name of the claimed protocol. The trademark status of the ION® name has been indicated in the claim. The Applicants submit that the claims as presented are not indefinite.

Claims 5-9 were objected to as being indefinite for failing to particularly point out and distinctly claiming the subject matter which the applicant regards as the invention. The
25 text in parenthesis represents the acronym defined by the preceding text, i.e. protocol, as known to those skilled in the art, for the purposes of clarity and conciseness in subsequent dependent claims. Applicants submit that the claims are not indefinite.

Claims 15, 26, 47 and 48 have been amended to correct minor typographic errors.

Accordingly, Applicant requests that the Examiner withdraw the objections of these
30 claims.

II. REJECTIONS UNDER 35 U.S.C. § 102(b)

A. Independent Claims 1, 17, 26 and 46

Independent Claims 1, 17, 26 and 46 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hart. With this response, Claims 1, 17, 26 and 46 have been amended for clarity and not for reasons related to patentability. Support for this amendment can be found in the Specification. Applicants submit that Hart does not anticipate independent claims 1, 17, 26 and 46, as amended, as the cited reference fails to disclose all the elements of the claims.

The Applicants respectively transverse the Examiner's arguments that the intelligent controller 19 disclosed by Hart directly contains an Analog-to-Digital converter (ADC) 315. See the Final Office Action of November 10, 2003, page 3, para. 6. In particular, as noted by the Examiner, Hart states that "[p]ower quality (PQ) events are monitored by the intelligent controller 19 (Fig 1) and are integrated into existing field equipment having signal processing capability such as a recloser, switch or relay device. In the relays, etc., the signal values desired to calculate the events are already present." See Hart Col 9, lines 7-11. Applicants submit that the disclosed "monitoring" is not the same as "measuring" with ADCs. "Monitoring" is defined as "to watch, keep track of or check ... for a special purpose." See Webster's Collegiate Dictionary, page 752 (10th Edition 1996). "Measuring" is defined as "to ascertain the measurements, i.e. figure, extent or amount, of..." See Webster's Collegiate Dictionary, page 720 (10th Edition 1996). The claimed invention comprises "at least one analog to digital converter...operative to receive at least one analog signal and convert said at least one analog signal to at least one first digital signal...." One of ordinary skill in the art would appreciate that the conversion of an analog signal to a digital signal ascertains the amount of the analog signal and provides this value in the form of a digital value. That the intelligent controller 19 disclosed by Hart "monitors" would indicate to one of ordinary skill in the art that the intelligent controller 19 does NOT directly measure the various electrical parameters as Hart, as shown in the above quote, clearly states that the "recloser, switch or relay device" performs the measuring. Reclosers, switches and relay devices are commonly known in the art as power protection devices.. See U.S. Patent 4,672,501, filed September 18, 1981 for exemplary protective devices known in the art. Hart

provides further support for this argument, stating “[e]xisting data acquisition and signal processing algorithms of *power system protection devices* are used to detect and record disturbances that could abnormally affect customers or the power system. A functional block diagram of the processing of an exemplary power quality monitoring subsystem in

5 accordance with the present invention is shown in FIG 3B.” See Hart Col 10, line 12-17, emphasis added. The subsequent disclosure of Hart then proceeds to explain how the ADCs measure the analog signals in the power protection devices and produce the various digital signal values which are then monitored by the intelligent controller. See Hart Col 10, lines 19-52. Thus the Applicants respectively submit that the Hart reference does not show an
10 “energy meter comprising at least one sensor coupled with an electric circuit and operative to sense at least one electrical parameter in said electric circuit and generate at least one analog signal indicative thereof” as is claimed in claims 1, 17, 26, and 46.

The Applicants further respectively transverse the Examiner’s assertion that Hart reference 10 shows a meter housing as claimed. Hart discloses a substation 10 which is well
15 known in the art as including numerous individual devices. Further Hart defines the disclosed substation 10, stating “[t]he substation 10 comprises a local area network (LAN) 15, a gateway 17, and an intelligent controller 10. The LAN 15 is a conventional network comprising data processing units, circuit breakers, relays, and transmitters, eg. a 485 twisted pair LAN.” See Hart Col 4, line 17-21. One of ordinary skill in the art would appreciate that
20 the devices described in Hart, as components of the substation 10, do not physically share a common meter housing due to numerous technical and regulatory reasons. Further it is well known in the art that a LAN is used for networking separate discrete devices, such as several meters, and not for networking individual components contained within a meter housing. Thus the Applicants respectively submit that the Hart reference does not show an “energy
25 meter comprising:...a meter housing” as is claimed in claims 1, 17, 26, and 46.

For at least these reasons Hart does not anticipate independent Claims 1, 17, 26 and 46. Accordingly, Applicant requests that the Examiner withdraw this rejection of these claims.

B. Dependent Claims 2-16, 18-25, 27-45, 47-48

Dependent Claims 2-16, 18-25, 27-45, 47-48 were also rejected under 35 U.S.C. § 102(b) as being anticipated by Hart. The allowability of the dependent claims follows from the independent claims which should be allowed for the reasons set out above.

5 Further, additional limitations of these dependent claims also distinguish over the cited reference. For example, the cited reference fails to disclose: using at least one object oriented program module as in Claim 13, where said power management function comprises generating an alarm message as in Claim 20, where said power management function comprises generating a load shedding command as in Claim 21, where said power
10 management function comprises generating a power factor control command as in Claim 22, wherein said master device comprises a revenue meter as in Claim 27, wherein said master device is operative to export said output result to a third device as in Claim 39, wherein said third device is operative to perform a power management function on said digital data as in Claim 40, wherein said power management function comprises an aggregation function as in
15 Claim 41, wherein said power management function comprises a billing function as in Claim 42, wherein said power management function comprises a protection function as in Claim 43, wherein said power management function comprises a control function as in Claim 44.

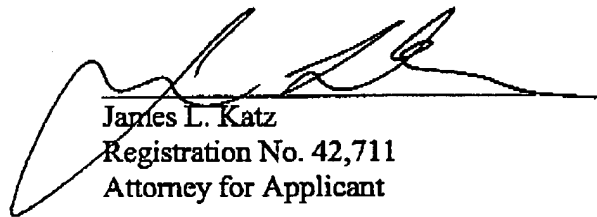
For at least these reasons Hart does not anticipate dependent Claims 2-16, 18-25, 27-45, 47-48. Accordingly, Applicant requests that the Examiner withdraw this rejection of
20 these claims.

CONCLUSION

Each of the rejections in the Final Office Action dated November 10, 2003 has been addressed and no new matter has been added. Applicant submits that all of the pending
5 claims are in condition for allowance and notice to this effect is respectfully requested. The Examiner is invited to call the undersigned if it would expedite the prosecution of this application.

Respectfully submitted,

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